

Federal Retirement Thrift Investment Board

§ 1630.13

If you want to request amendment of a TSP record and		
The type of record is:	You are a former employee, write to:	You are a current employee, write to:
Personnel or personal records (e.g., age, address or Social Security number).	TSP Service Office.	Your employing agency.
Agency's and participant's contributions, loan repayments and adjustments to contributions.	Your former employing agency.	Your employing agency.
Earnings, interfund transfers and loan prepayments.	TSP Service Office.	TSP Service Office.

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(3) * * * The employing agency also has custody of the election and beneficiary forms (which are maintained in the Official Personnel Folder). Hence, requests for correction of records described herein shall be made to the employing agency.

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§ 1630.12 Action on request to amend a record.

(a) For TSP records, the record keeper will acknowledge a request for amendment of a record, which is to be decided by that office in accordance with the chart in § 1630.11, within 10 work days. Requests received by the record keeper which are to be decided by the current or former employing agency will be sent to that agency by the record keeper within 3 work days of the date of receipt. A copy of the transmittal letter will be sent to the requester.

(b) For non-TSP records, the Privacy Act Officer will acknowledge a request for amendment of a record within 10 work days of the date the Board receives it. If a decision cannot be made within this time, the requester will be informed by mail of the reasons for the delay and the date when a reply can be expected, normally within 30 work days from receipt of the request.

(c) The final response will include the decision whether to grant or deny the request. If the request is denied, the response will include:

- (1) The reasons for the decision;
- (2) The name and address of the official to whom an appeal should be directed;

(3) The name and address of the official designated to assist the individual in preparing the appeal;

(4) A description of the appeal process with the Board; and

(5) A description of any other procedures which may be required of the individual in order to process the appeal.

[55 FR 18852, May 7, 1990, as amended at 64 FR 67695, Dec. 3, 1999]

EFFECTIVE DATE NOTE: At 64 FR 67695, Dec. 3, 1999, § 1630.12 was amended in paragraph (a) in sentences one and two by revising the words "TSP Service Office" and "Head, TSP Service Office" to read "record keeper", effective Jan. 3, 2000.

§ 1630.13 Procedures for review of determination to deny access to or amendment of records.

(a) Individuals who disagree with the refusal to grant them access to or to amend a record about them should submit a written request for review to the Executive Director, Federal Retirement Thrift Investment Board, 1250 H Street, NW., Washington, DC 20005. The words "PRIVACY ACT—APPEAL" should be written on the letter and the envelope. Individuals who need assistance preparing their appeal should contact the Board's Privacy Act Officer.

(b) The appeal letter must be received by the Board within 30 calendar days from the date the requester received the notice of denial. At a minimum, the appeal letter should identify:

- (1) The records involved;
- (2) The date of the initial request for access to or amendment of the record;
- (3) The date of the Board's denial of that request; and
- (4) The reasons supporting the request for reversal of the Board's decision.

Copies of previous correspondence from the Board denying the request to access or amend the record should also be attached, if possible.

(c) The Board reserves the right to dispose of correspondence concerning the request to access or amend a record if no request for review of the Board's decision is received within 180 days of the decision date. Therefore, a request for review received after 180 days may,